

Participatory Budgeting Tonawanda: Results Memo

Introduction to Tonawanda Coke

Nearly 10 years ago, residents came together who were worried their health problems were linked to the industrial pollution in their neighborhood. They banded together, tested the air, pounded pavement and began a successful campaign against Tonawanda Coke Corporation. The company was emitting large amounts of benzene, a known human carcinogen. And they were successful. Their organizing resulted in a raid of the plant, the arrest and indictment of the environmental control manager. The company signed a consent order with US EPA that has resulted in an 86% reduction in benzene emissions. And in 2013, a jury found the company guilty of violating the Clean Air Act and the Resource Conservation and Recovery Act. This is only the second criminal indictment under Title V of the Clean Air Act. Fines for these violations could be up to \$200 million.

Despite recent progress at Tonawanda Coke, the region still has serious environmental health challenges. The NYS Department of Health's data shows elevated levels of cancer and negative birth outcomes in the region, workers labor under exposure to toxic chemicals, the region has elevated levels of air pollution. The potential fines provide this community with a historic opportunity to address these challenges.

After the verdict was delivered, the Clean Air Coalition of WNY developed a list of principles and values they believed should guide decision-making on how fines will be spent. The Coalition is a grassroots environmental health and justice organization that led the advocacy efforts for enforcement action at the plant and works with 3,000 impacted residents annually. These values are:

- **Community Control.** Tonawanda residents and workers have been deeply impacted by air pollution from Tonawanda Coke. They have driven this campaign for accountability and should continue to lead decision-making in the future.
- **Transparent, Democratic Decision-Making.** Any decision that is made about fines should be public, transparent and democratic. No closed door deals.
- **A commitment to environmental justice.** Low-income people, people of color and workers are most deeply impacted by pollution. Therefore, any fines should go to solutions that address real problems in marginalized neighborhoods and high-risk workplaces.
- **Neighborhood Knowledge.** Residents first brought this problem to the attention of local authorities. Therefore community knowledge about solutions should be central to the decision-making process.

In sum, residents who are most impacted by pollution should decide how the potential fines will be spent. The Coalition has been learning about participatory budgeting (PB) for over two years and thought a process modeled from PB would allow the organization to realize the values it espoused for the settlement money.

Participatory Budgeting

Participatory Budgeting (PB) is a democratic process in which community members directly decide how to spend part of a public budget. It gives ordinary people real power over real money, letting them work with government to make the budget decisions that affect their lives. Residents generate ideas, test their viability and vote for the projects that are funded in their neighborhoods. It gives community members a say, makes for better and more equitable decisions, develops active citizens, strengthens community organizations, connects politicians and constituents, and makes government more accountable and efficient.

The Brazilian city of Porto Alegre started the first full PB process in 1989. Since then, PB has spread to over 1,500 cities in Latin America, North America, Asia, Africa and Europe. In the US and Canada, PB has been used in Toronto, Montreal, Guelph, Chicago, New York City and Vallejo.

In its true form, PB is not a consultation. The decisions made by voters are not used by decision makers as guidance, they *are* the final decision.

PB Tonawanda

The Clean Air Coalition used a process modeled off of participatory budgeting to identify potential projects that could be funded with the settlement funds. The project had five phases:

1. **Community Assembly.** On May 23rd, 89 residents participated in the Community Assembly at the Boys and Girls Club in the Town of Tonawanda. The Coalition shared an update on the campaign, the criteria for potential projects, and brainstormed solutions to air pollution and hazardous waste in the area. During the two-hour meeting participants brainstormed 191 project ideas and divided them into policy solutions and potential projects. Many policymakers including Buffalo City Councilmen Joseph Golombeck and Michael LoCurto, and a representative from Congressman Brian Higgins' office attended the Assembly.
2. **Delegate Summit.** On June 4th, 25 residents participated in the three-hour delegate summit at the River Road Fire Hall. 75% of budget delegates lived in the impacted area. Budget delegates vetted the ideas to ensure they met the nexus requirement. The residents used the following criteria:

Potential projects must meet one of the following criteria:

- The project reduces the likelihood that similar violations will occur in the future
- The project reduces the adverse impact to public health or the environment from air pollution or land contamination
- The project reduces the overall risk to public health and the environment ***potentially affected*** by the violation at issue.

Projects must meet all the following criteria:

- The project must be something Tonawanda Coke is not already legally required to do.
- Geography alone doesn't qualify a project. The fact that a project is close to Tonawanda Coke doesn't qualify. It must also meet the criteria listed above.
- The funding cannot support projects that are already mandated by the Federal Government or are already funded. For example, keeping the air monitoring up and running cannot be funded by this project, but an independent monitoring project by a University or community group would be fundable. EPA cannot manage or control the funds.
- Projects cannot be a lump sum of unrestricted money to one organization

Delegates then combined duplicates, categorized the projects, identified who the projects would benefit, potential lead organizations to implement the projects and wrote project descriptions. Clean Air staff and budget delegates then worked to meet with potential lead organizations to finalize project descriptions, and secure letters of support and budgets for the projects. On June 11th, four budget delegates met to finalize the ballot and review project descriptions and letters of support. 15 projects made it onto the ballot.

3. Week of Voting

Voting began June 15th and lasted until June 20th. Voting locations included:

- Saturday, June 15th from 10:30am-12:30pm Brighton Place Library 999 Brighton Place Rd. Tonawanda
- Sunday, June 16th from 9am-noon St. Timothy's Church, 1453 Staley Rd. Grand Island
- Monday, June 17th

- 9am-6:30pm St. Timothy's Church, 1453 Staley Rd. Grand Island
- 5pm-9pm City Hall Community Room 200 Niagara St. City of Tonawanda
- Tuesday, June 18th from 10:30am-4pm Town of Tonawanda 2919 Delaware Ave. Kenmore
- Wednesday, June 19th
 - 12:30-1:30pm Tonawanda Senior Center 291 Ensminger Rd. Tonawanda
 - 3:30pm-7pm Phatman Skate Shop 2889 Sheridan Dr. Tonawanda
- Thursday, June 20th
 - 7:30am-1pm North Tonawanda Farmers Market Payne Ave & Robinson St.
 - 6 - 7pm Boys and Girls Club 54 Riverdale Rd.

18 volunteers from impacted neighborhoods worked at these polling locations. 561 voters cast their ballot.

4. **RESULTS.** The results of the vote were shared with the community on June 20th at the Boys and Girls Club. 60 residents attended the celebration. Many policymakers attended the meeting including Tonawanda Town Supervisor Anthony Caruana, Deputy Town Supervisor Joseph Emminger, Tonawanda Councilwoman Lisa Chimera, Buffalo City Councilman Joseph Golombeck, City of Tonawanda Mayor Ronald Pilozzi. The results are:

Title	Description	Cost	Votes
Industrial Pollution Prevention Project	A project that will work with small to medium-sized manufacturers in the Tonawandas, Riverside, and Grand Island to reduce toxic chemical use, emissions, and waste, as well as improve the efficiency of energy, raw material, and water usage.	\$250,000	260
Community Environment Health Institute	The development of a long-standing community engaged environmental health institute targeted at research, training, prevention, and healthcare coordination to improve the health of WNY residents, especially those in areas affected by air pollution.	\$15 million	236
Wickwire Park Redevelopment Project	The purchase and renovation of an approximately 40-acre site along the Niagara River for the purposes of providing waterfront access, historic re-use, job creation, and alternative energy generation.	\$4 million	217
Tonawanda Area Environmental Health Study	A community-oriented study of environmental health in the Tonawanda region focusing on cancer incidences and air pollution exposure patterns.	\$100,000	209
Town of Tonawanda Tree Farms	The development of a new tree farm and model community garden in addition to the restocking of Old Town's current tree farm and the eventual transplantation of trees throughout the Tonawanda area.	\$150,000	209
Tonawanda Recycling Program Expansion	An initiative that will expand Tonawanda's current recycling program by upgrading current 14 gallon bins to full-size totes and purchasing disposal trucks with cart tippers that run solely on compressed natural gas	\$2.5 million	201
Tonawanda Coke Neighborhood Relocation and Improvement Fund	A fund created to assist residents on streets Kaufman, James, Sawyer, and Ritchie by either providing resources to households wanting to relocate or financing community	\$10 million	197

	improvement initiatives for residents wishing to remain in the neighborhood.		
Environmental Quality and Justice Endowment	A community foundation-run endowment that will allow the settlement money to grow over time and will give the money a legacy of being used to fund projects that improve environmental quality and justice.	\$2 million	192
Worker and Community Toxics Education Projects	A project to educate workers, families, and community members on chemical risks and appropriate protection, as well as help find solutions to reduce toxic exposures inside plants.	\$100,000	163
Riverside Tree Planting	Plant 100 trees in Riverside Park and the surrounding neighborhood.	\$35,000	111
Citizen Science Lending Library	A resource center that provides free, rentable materials for citizen science projects such as air monitoring and testing.	\$250,000	103
Town of Tonawanda Energy Audit	A comprehensive assessment of energy use in residential, commercial, and municipal buildings in the Town of Tonawanda, eventually resulting in a suggested course of action to have the Town completely powered by renewable energies by 2030.	\$30,000	90
Blackrock Riverside Community Gardens	The expansion and lasting upkeep of two community gardens located at the intersections of Farmer and Guernsey Streets and Esser and Henrietta Avenues.	\$30,000	80
Sheridan-Parkside Community Garden	The creation and maintenance of a community garden at the Sheridan-Parkside Community Center, including the hiring of a youth community member for part-time assistance.	\$16,500	59
Electric Car Refueling Stations	The complete production and installation of three (3) electric car refueling stations in the Tonawanda area.	\$2,700	58

The ballot, full projects descriptions, lead organizations and letters of support are attached.

This process took place in the context of ongoing, private litigation against Tonawanda Coke. Many impacted residents who participated in this process are part of class action lawsuits against the company. Many plaintiffs expressed concern regarding the potential penalties that Tonawanda Coke may face as a result of their criminal conviction and wanted to ensure there would be funds available to them if they are successful in court. Therefore, the Coalition asked voters if they would be in favor of establishing a fund to compensate potentially successful plaintiffs in the class action lawsuits. 47% of residents who chose to respond said they would favor this proposal.

5. **Sharing results with decision-makers.** The results will be shared with the Environmental Protection Agency and the Department of Justice and hopefully submitted to Judge William Skretny. Sentencing is scheduled to take place September 20th, 2013.

The results will also be shared with decision makers at all levels of government to help inform decision-making about spending public funds.

Deepening our civic infrastructure

This process allows residents to engage meaningfully in our democracy and to practice and hone civic skills.

The Clean Air Coalition's outreach activities were robust and included:

- 2,000 pieces of mail to potential voters
- Over 3,000 get out the vote calls to voters
- 2 email blasts to impacted residents
- 12 facebook posts
- 6 tweets

The Coalition is committed to building the capacity of communities to be able to speak on their own behalf. The process included:

- Eight opportunities to develop leadership skills
- Trained participants in twelve civic skills including:
 - Public speaking
 - Coaching
 - Messaging
 - Writing op-eds
 - Tabling
 - Critical thinking
 - Get Out the Vote
 - Outreach
 - Brainstorming
 - Group Work
 - Facilitation
 - Working with reporters
- 24 institutions including WNY Council on Occupational Safety and Health, the Olmstead Parks Conservancy, Sierra Club, the University at Buffalo, the Tonawanda Highway Department, National Grid and the Community Foundation for Greater Buffalo wrote letter of support for projects, helped get out the vote and host polling locations.

Conclusion

The participatory budgeting project in Tonawanda gave impacted residents a voice in how to spend the Tonawanda Coke settlement money. We hope the Environmental Protection Agency, Department of Justice and Judge William Skretny will use the results to make decisions during sentencing. The

VOTER GUIDE

Table of Contents

Health

- 1) Worker & Community Toxic Exposure Education Project
- 2) Community Environmental Health Institute
- 3) Tonawanda Coke Neighborhood Relocation and Improvement Fund
- 4) Tonawanda Area Environmental Health Study

Renewables and Waste Reduction

- 5) Town of Tonawanda Energy Audit
- 6) Electric Car Refueling Stations
- 7) Pollution Reduction and Prevention Project
- 8) Tonawanda Recycling Program Expansion

Community Action and Citizen Science

- 9) Environmental Quality and Justice Endowment
- 10) Citizen Science Lending Library

Green Space

- 11) Black Rock/Riverside Community Gardens
- 12) Town of Tonawanda Tree Farms
- 13) Sheridan-Parkside Community Garden
- 14) Wickwire Park Redevelopment Project

Worker & Community Toxic Exposure Education Project

Description: The WNY Council on Occupational Safety and Health would:

- educate workers, their families, and community residents about what chemical risks they face and what protections are needed to reduce and prevent workplace illnesses
- help find solutions to reduce toxic exposures inside plants through use of less hazardous chemicals or process changes in order to reduce toxic emissions in the community



Who This Benefits: The project would benefit the community as a whole by helping to reduce toxic emissions pumped out of factories as well as the workers and families of workers who are often exposed to toxic chemicals.

Budget Estimate: \$100,000

Community Environmental Health Institute

Description: A long-standing community engaged environmental health institute would be founded in order to improve the health of WNY residents, particularly those in areas affected by pollution. The CEHI would:

- bring together healthcare coordination, research, prevention, and training to meet the community's environmental health needs
- support research on cutting-edge technology, such as personal pollution exposure monitoring (i.e. wearable air monitors)
- help community members navigate the existing pollution-related healthcare resources available to them
- foster strong relationships between community organizations and researchers
- integrate environmental research with laws and social policy



Location: The CEHI would be housed at the UB School of Nursing, with resources and partnerships that extend community-wide.

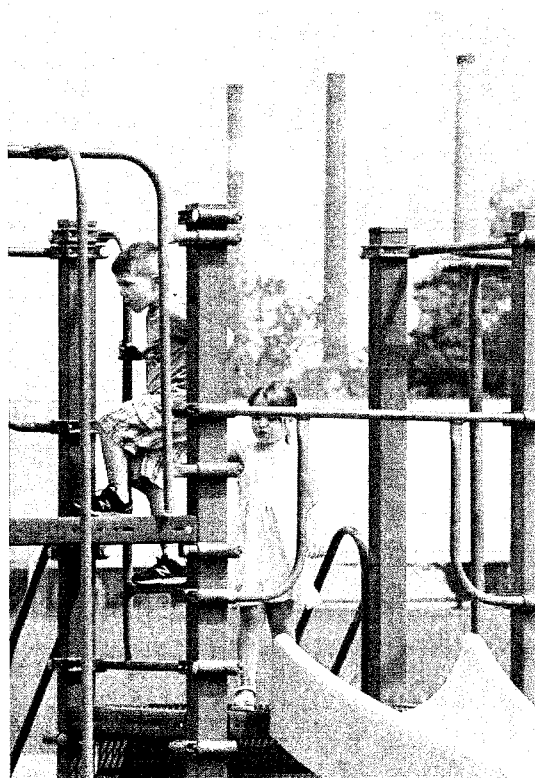
Who This Benefits: The CEHI would be an invaluable resource to all members of the Western New York community, though especially vital for those in areas affected by air pollution.

Budget Estimate: \$15 million

Tonawanda Coke Neighborhood Relocation and Improvement Fund

Description: This fund would offer support to the residents on streets Kaufman, James, Sawyer, and Ritchie and would:

- provide resources and compensation such as moving costs and housing buyouts to residents wanting to relocate from the neighborhood adjacent to Tonawanda Coke, specifically on the aforementioned streets
- finance community improvement initiatives such as tax breaks or green space for residents wishing to remain in their homes



Young Kaufman residents play in the shadow of Tonawanda Coke's smokestacks

Who This Benefits: This relocation project benefits the individuals and families most severely affected by Tonawanda Coke's environmental crimes. Many of these households have experienced multiple cases of severe illness, including cancers, chronic respiratory issues, and birth defects.

Budget Estimate: \$2 million

Tonawanda Area Environmental Health Study

Description: Epidemiologists and health professionals from the University at Buffalo would perform a community-oriented study of environmental health and health outcomes in the Tonawanda region. The study would fill in the gaps of a NYS Department of Health study previously conducted and would utilize innovative methods such as portable air monitors to focus on:

- cancer incidence data
- demographic variables
- air pollution exposure patterns



Location: The study would be conducted primarily in Tonawanda, Riverside, and Grand Island.

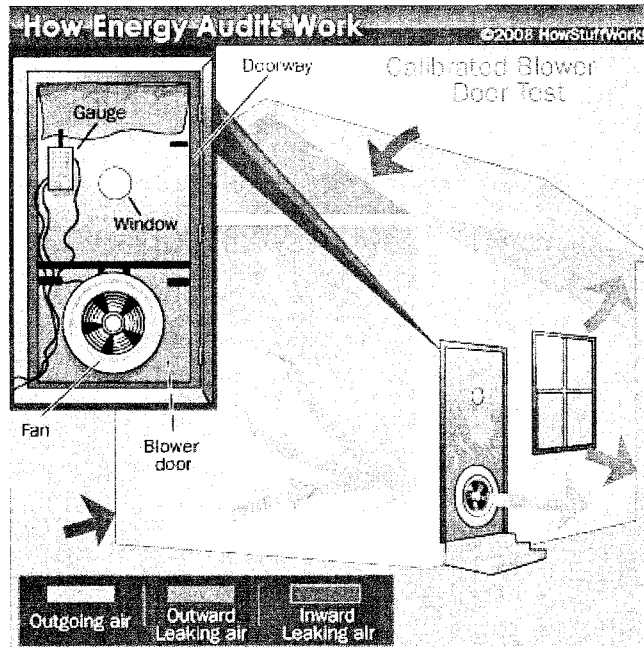
Who This Benefits: The study, its results, and the subsequent actions would benefit the residents of the above mentioned neighborhoods as well as citizens all across Western New York.

Budget Estimate: \$100,000

Town of Tonawanda Energy Audit

Description: Synapse Energy Corporation will:

- conduct a comprehensive energy study of residential, commercial, and municipal buildings in the Town of Tonawanda
- use the results to present a suggested course of action to power all buildings by renewable energy



An example of how a residential energy audit might work

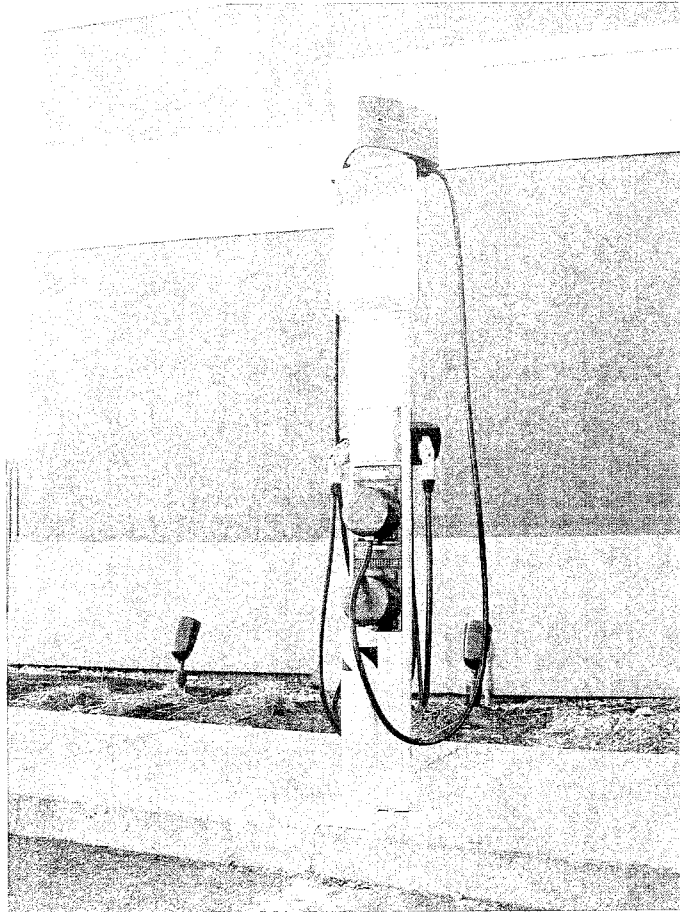
Who This Benefits: It would directly benefit the community by creating jobs, increasing investments, improving health of citizens, and growing manufacturing; it would also benefit all community residents as a source for mitigation of global climate change.

Budget Estimate: \$15,000

Electric Car Refueling Stations

Description: This project will install 3 electric car refueling stations in the impacted area. The stations would:

- provide affordable, highly reliable options to charge electric cars
- encourage individuals and families to switch to electric cars



A sample National Grid electric car refueling station

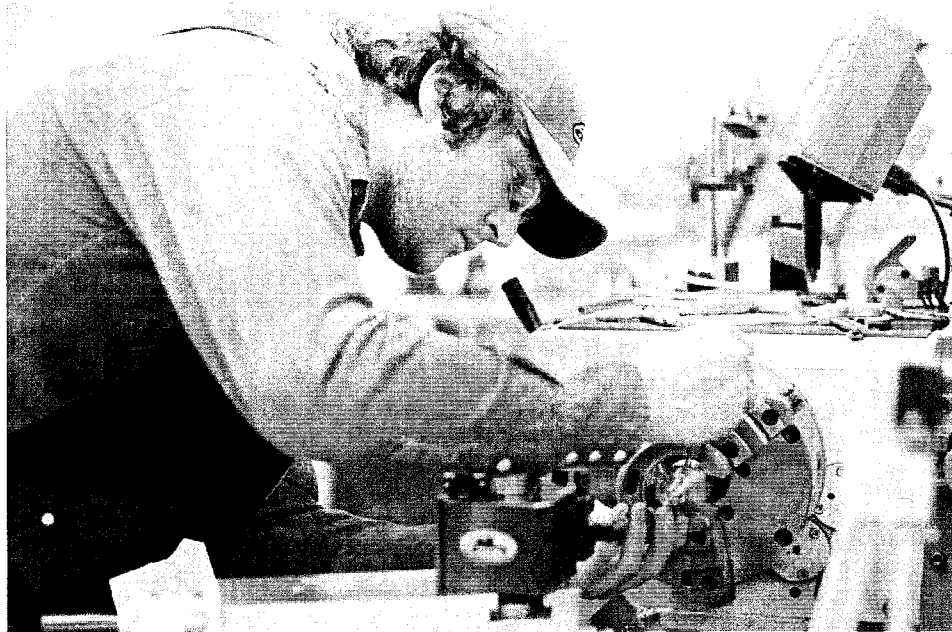
Who This Benefits: This benefits both electric car drivers as well as the community at large by reducing emissions from fossil fuels.

Budget Estimate: \$2,700

Industrial Pollution Prevention Project

Description: Members of the University at Buffalo's School of Engineering in coordination with other community organization would work with small to medium-sized manufacturers in the areas of the Tonawandas, Riverside, and Grand Island in order to:

- reduce toxic chemical use
- improve efficiency of raw materials, energy, and water usage
- reduce waste generation and environmental emissions



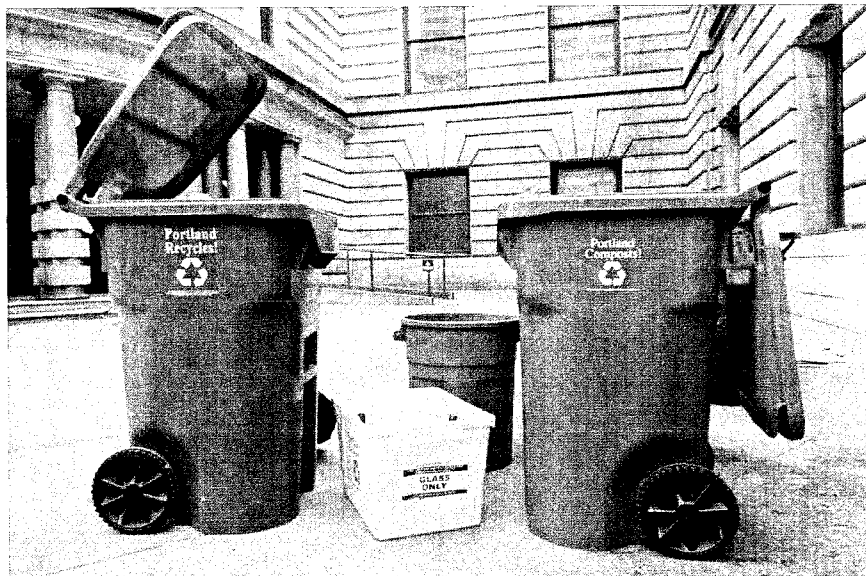
Who This Benefits: It would benefit the manufacturers by improving their efficiency and therefore reducing costs; the surrounding neighborhoods by reducing toxic chemicals expelled into their air, water, and land; and the community as a whole by stimulating the use of green manufacturing techniques.

Budget Estimate: \$250,000

Tonawanda Recycling Tote Program Expansion

Description: The Town of Tonawanda recycling program expansion would:

- replace current 14-gallon bins with full-size totes to enable and encourage residents to recycle more and thus reduce toxic emissions from plastic, metal, and paper manufacturing
- purchase 4 new disposal trucks equipped with cart tipplers that run solely on compressed natural gas (CNG) to enable the pick-up of the new totes in an environmentally-friendly manner



Examples of full-size recycling bins compared to small and medium-sized bins

Who This Benefits: The project would empower Tonawanda residents to make a significant change in their environment as well as benefit the community as a whole in the reduction of toxic emissions and increase in clean, healthy air.

Budget Estimate: \$2.5 million

Environmental Quality and Justice Endowment

Description: The Community Foundation for Greater Buffalo would establish and manage an environmental endowment which would fund projects that improve environmental quality and public health. Grants would be awarded from the interest off the endowment.



By investing a portion of the settlement in an endowment fund, the money will grow over time and have a greater, longer-lasting effect

Who This Benefits: The endowment would support all individuals and communities who would benefit from the numerous and wide-ranging projects that would be funded by the endowment, the financing of which would carry on for generations to come given the continuous growth of the settlement money.

Budget Estimate: \$2 million

Citizen Science Lending Library

Description: This project would establish a center for citizen science in Western New York. It would:

- stock and maintain a library of free, rentable materials to use for citizen science projects
- hold workshops and trainings on how to use the materials for projects as air monitoring and soil testing
- manage the promotion and dissemination of information and supplies from the lending library to the community



An example of how a citizen science air monitor might look

Location: The lending library would be housed at the Clean Air Coalition of WNY's office or at a satellite location managed by the Coalition.

Who This Benefits: This enables all community members to test their air and determine what toxics they may or may not be breathing in, and in turn can take the appropriate actions necessary to rectify any violations found in their area.

Budget Estimate: \$250,000

Black Rock/Riverside Community Garden Project

Description: Grassroots Gardens of Buffalo would:

- add 10 additional raised beds to the 4 beds that have already been completed in the Farmer Patch Community Garden (at Farmer and Guernsey Streets)
- add 20 additional raised beds to the 6 beds that have been built in the Esser Avenue Community Garden (at Esser and Henrietta Avenues)
 - Materials for both projects will include topsoil, compost, vegetable seeds and seedlings, trees, pathways, and perennial plant materials for a butterfly garden.

The completion of this community garden would beautify the neighborhood, provide safe growing spaces, and be a place for residents to gather and enjoy green space.



A current Grassroots Gardens project

Who This Benefits: It would benefit neighbors who can gather and grow in the garden as well as the community at large, who would benefit from mitigation of pollution risks by the plants in the gardens.

Budget Estimate: \$30,000

Town of Tonawanda Tree Farms

Description: This project would:

- Purchase the land and materials necessary to create a second tree farm and model community garden based on the first, highly successful tree farm already in existence in the Town of Tonawanda, which will also be restocked as a part of the project
- Transplant the young trees, which are initially nurtured and grown in the tree farms, throughout the Town of Tonawanda, focusing particularly on industrial areas in the town and areas in need of environmental justice in order to reduce air pollution



Re-Tree Tonawanda volunteers hard at work

Who It Benefits: The tree planting is a project that benefits all community members as well as those directly involved. Trees are a crucial source of oxygen and pollution remediation and are also an invaluable part of the environment and ecosystems. The planting of new trees will improve community environmental health and provide hands-on work experience for those involved.

Budget Estimate: \$150,000

Sheridan-Parkside Community Garden

Description: The Kenmore Garden Club would:

- lead the establishment of a community garden at the Sheridan-Parkside Community Center, located in an area which has been identified by the NYS Department of Health as a high impact area for cancers that can be connected to pollution
- create and maintain the garden, which would consist of 6-8 separate raised beds watered by rain barrels, surrounded by fencing, and each growing a separate vegetable so that gardeners may exchange their crops
- hire youth community members connected with the center to assist in the maintenance of the project



Members of the Kenmore Garden Club hard at work

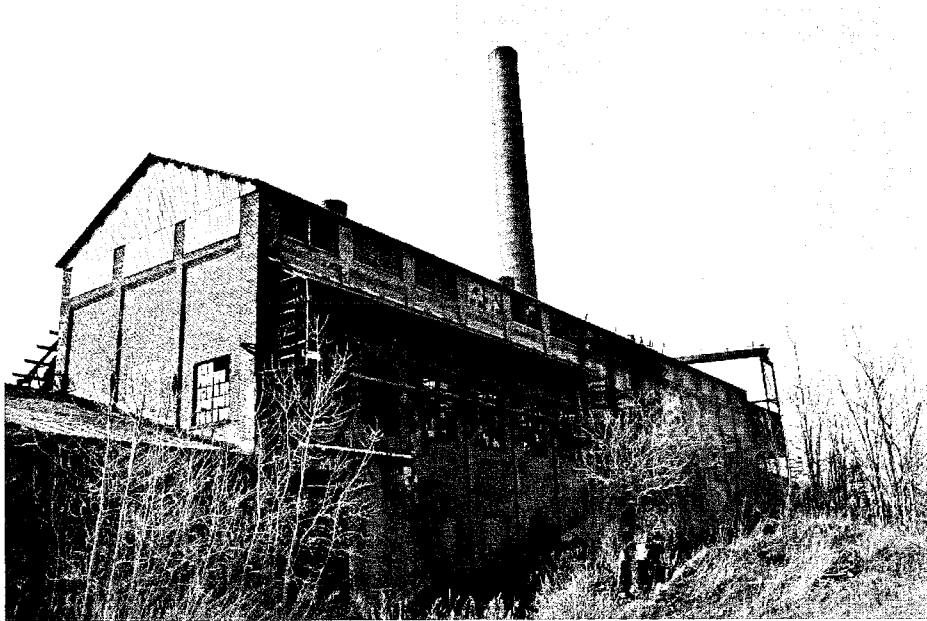
Who This Benefits: This benefits both gardeners and community members by providing an affordable method to grow food as well as providing plants that will assist in reducing air contaminants. The project will also create jobs for community youth who can assist in planting, growing, and training.

Budget Estimate: \$16,500

Wickwire Park Redevelopment Project

Description: This project redevelops the approximately 40 acre Wickwire site along the Niagara River to provide green space. The new park would:

- provide direct waterfront access and community activities
- highlight historic themes through re-use of existing structures and legacies
- use and generate alternative energies on-site and displace air pollution generated by existing companies



Current remains of the Wickwire-Spencer Steel Factory

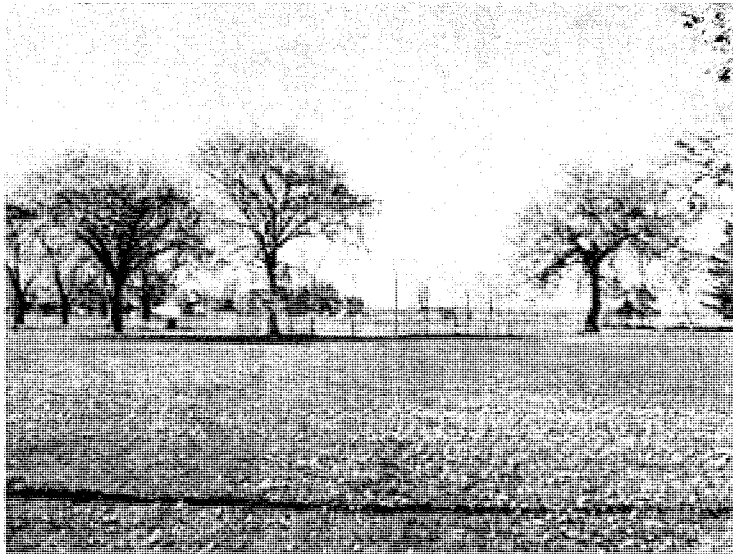
Who This Benefits: The redevelopment of this space would benefit all members of the community from the residents who can benefit from the green space and waterfront access to those who may take advantage of the jobs produced and economy stimulated.

Budget Estimate: \$4 million

Riverside Park Tree Planting

Description: This project would plant 100 trees in Riverside Park and the surrounding neighborhood in order to:

- mitigate air pollution and increase air quality
- decrease the urban heat island effect, a phenomenon where cities or metropolitan areas are significantly hotter because of man-made activities or materials that create or retain heat



Riverside Park currently, with sparse trees

Location: Riverside Park and the surrounding communities

Who This Benefits: The development of a healthy urban forest would benefit the entire community by improving the quality of the environment, visual character, and overall quality of life.

Budget Estimate: \$350,000